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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP 1500

IN RE APPLICATION OF: :  
KRZYSZTOF MATYJASZEWSKI ET AL : GROUP ART UNIT: 1505  
SERIAL NO: 08/414,415 : EXAMINER: CHENG  
FILED: MARCH 31, 1995 :  
FOR: NOVEL (C) POLYMERS AND A  
NOVEL POLYMERIZATION PROCESS  
BASED ON ATOM (OR GROUP)  
TRANSFER RADICAL POLYMERIZATION

#10  
10/12/96

RESPONSE TO ELECTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to Paper No. 9 mailed September 17, 1996, Applicants elect, with traverse, as ultimate species for purposes of examination only, Example 10, which appears on page 89. All elected claims are believed to read on the elected ultimate species.

Applicants note that the election of the ultimate species is made for the purposes of examination only, and that no rationale or argument has been offered that would support the position that the species embraced by the elected claims are patentably distinct. Rather, Applicants note that the burden, initially, is on the Examiner to challenge the claims, on stated grounds, as embracing patentably distinct inventions. The presence of separate species does not, a priori, indicate patentably distinct inventions corresponding to each species. Accordingly, upon completion of examination of the ultimate species, and a determination that the same is allowable,

examination of claims of reasonable scope is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to be 'SK', with a long horizontal line extending to the right.

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